

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

CLIFFORD CHARLES FOWLER,)	
Register No. 166478,)	
)	
Plaintiff,)	
)	
v.)	No. 05-4212-CV-C-NKL
)	
LARRY CRAWFORD, et al.,)	
)	
Defendants.)	

ORDER

On October 2, 2006, the United States Magistrate Judge recommended that defendants' motion for judgment on the pleadings be granted and that plaintiff's claims alleging retaliatory confiscation of religious items be dismissed, without prejudice, for failure to exhaust administrative remedies, and claims seeking punitive damages against Missouri Department of Corrections and defendants in their official capacities be dismissed for failure to state a claim on which relief may be granted, pursuant to 42 U.S.C. § 1983.

The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). The court has conducted a de novo review of the record, including the exceptions filed by plaintiff on October 23, 2006. The issues raised in plaintiff's exceptions were adequately addressed in the report and recommendation. The court is persuaded that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that the Magistrate Judge's October 2, 2006 Report and Recommendation is adopted [63]. It is further

ORDERED that defendants' motion for judgment on the pleadings is granted and plaintiff's claims alleging retaliatory confiscation of religious items are dismissed, without prejudice, for failure to exhaust administrative remedies, and claims seeking punitive damages against Missouri Department of Corrections and defendants in their official capacities are

dismissed for failure to state a claim on which relief may be granted, pursuant to 42 U.S.C.
§ 1983. [55]

/s/

NANETTE K. LAUGHREY
United States District Judge

Dated: December 12, 2006
Jefferson City, Missouri